

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
Dallas Division**

CHARLENE CARTER,  Plaintiff,  V.  SOUTHWEST AIRLINES CO., AND TRANSPORT WORKERS UNION OF AMERICA, LOCAL 556,  Defendants.	Civil Case No. 3:17-cv-02278-S
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**[PROPOSED] ORDER DENYING DEFENDANTS' JOINT MOTION TO  
STRIKE/MOTION FOR MORE DEFINITE STATEMENT  
PURSUANT TO FRCP 12(e) AND 12(f)**

The Court has considered Defendants Southwest Airlines Co.'s ("Southwest") and Transport Workers Union of America, Local 556's ("Local 556") Joint Motion to Strike/Motion for More Definite Statement, and Plaintiff Charlene Carter's ("Carter") Response, in the above-captioned case. Having considered the Motion and Response, the Court finds that the Defendants' Motion should be denied.

IT IS THEREFORE ORDERED that Defendants' Joint Motion to Strike/Motion for More Definite Statement is hereby DENIED.

It is further ORDERED, as set forth in Carter's Notice Regarding Her Third Amended Complaint (Dkt. No. 71), that Defendants shall not respond to the following allegations in their Answers to the Third Amended Complaint (Dkt. No. 70): ¶1, ¶¶78-85 (Count I), ¶¶86-92 (Count II), or to Part A (1) and (3) in the Prayer for Relief. Also, Defendants' Answers shall not respond to the allegations in ¶3, ¶5, ¶¶108-118 (Count IV), or Part A (2), (5) in the Prayer for Relief

insofar as they plead unconstitutional retaliation based on U.S. Constitutional rights. Defendants' Answers shall respond to all other allegations in the Third Amended Complaint, and to ¶3, ¶5, ¶¶108-118 (Count IV), and Part A (2), (5) in the Prayer for Relief insofar as those allegations plead Carter's statutory retaliation claims related to the exercise of RLA-protected rights. Defendants' Answers or motions shall be due on March 22, 2019.

**IT IS SO ORDERED**

SIGNED \_\_\_\_\_.

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**KAREN GREN SCHOLER  
UNITED STATES DISTRICT JUDGE**